



**State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3501 FAX (603) 271-6683



Helen Tarpley
Liberty Hill Camping Area
Box 298
Greenland, NH 03840

Re: Liberty Hill Camping Area

**ADMINISTRATIVE ORDER
No. WD 02-18**

May 30, 2002

A. INTRODUCTION

This Administrative Order is issued by the Department of Environmental Services, Water Division to Helen Tarpley pursuant to RSA 485-A:43. This Administrative Order is effective upon issuance.

B. PARTIES

1. The Department of Environmental Services, Water Division ("DES"), is a duly constituted administrative agency of the State of New Hampshire, having its principal office at 6 Hazen Drive, Concord, NH 03301.
2. Helen Tarpley ("Ms. Tarpley") is an individual doing business as Liberty Hill Camping Area and having a mailing address of Box 298, Greenland, NH 03840.

C. STATEMENTS OF FACTS AND LAW

1. RSA 485-A:29-44 authorizes DES to regulate the subdivision of land and the construction, maintenance, and repair/replacement of individual subsurface sewage disposal systems ("septic systems"). Pursuant to RSA 485-A:41, the Commissioner of DES has adopted NH Admin. Rules Env-Ws 1000 to implement this program.
2. Helen Tarpley is the owner of the Liberty Hill Camping Area, located at 945 Portsmouth Avenue, Greenland, NH, and more particularly described on Town of Greenland Tax Map R-10 as Lot 30 ("the Property").
3. The Property previously received DES subdivision approval SA 10319 (issued 5/14/76) and approval for the operation of septic systems for 46 short-term camping sites OA 54839 (issued 8/9/77).
4. On May 10, 2001, DES personnel inspected the Property. The inspection revealed that a number of unapproved, long-term camping sites were being operated on the Property without permits from DES. Env-Ws 1005.12(a) defines long term campsites as sites to which pressurized water is available and which are used by the same recreational vehicle for a period of more than 3 consecutive weeks.
5. The inspection also revealed the following

- a) Direct discharge of sewage to unapproved sewage disposal areas;

- b) Unapproved sewage collection lines to camping vehicles at individual campsites;
- c) An unapproved sewage pumping station located near campsites 1-9; and
- d) A snack bar with pressurized water has been constructed, located near the approved leach fields, that is not contained on the approved septic plans for the Property.

D. DETERMINATION OF VIOLATIONS

1. Helen Tarpley has violated RSA 485-A:29 and Env-Ws 1005.12(a) by permitting long term use of campsites on the Property without having submitted a septic system design to DES for review and approval to serve these long-term sites.
2. Helen Tarpley has violated RSA 485-A:29 by constructing sewage pumping stations, sewage disposal systems and a snack bar served by pressurized water without submitting a septic system design to DES for review and approval.

E. ORDER

Based on the above findings, DES hereby orders Helen Tarpley as follows

1. By June 15, 2002, submit a detailed plan of the proposed long term campsites on the Property to DES.
2. By June 15, 2002, submit a septic system design, prepared by a licensed septic system designer, to serve the proposed long-term campsites and the snack bar on the Property, to DES for review and approval.
3. Send correspondence, data, reports, and other submissions made in connection with this Administrative Order, **other than appeals**, to DES as follows:

Richard J. de Seve, Compliance Supervisor
Subsurface Systems Bureau
DES Water Division
6 Hazen Drive
Concord, NH 03301 Fax: (603) 271-6683
e-mail: rdeseve@des.state.nh.us

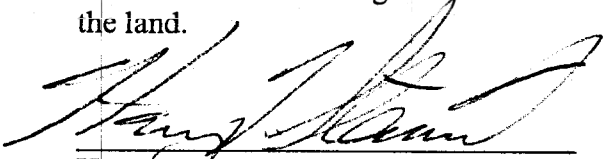
F. APPEAL

Any person aggrieved by this Order may appeal the Order to the Water Council by filing an appeal that meets the requirements specified in Env-WC 200 within 30 days of the date of this Order. Copies of the rule are available from the DES Public Information Center at (603) 271-2975 or at <http://www.des.state.nh.us/desadmin.htm>. Appealing the Order does not automatically relieve Helen Tarpley of the obligation to comply with the Order.

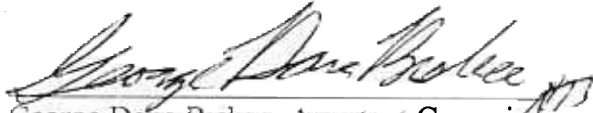
G. OTHER PROVISIONS

Please note that RSA 485-A:43 provides for administrative fines, civil penalties, and criminal penalties for the violations noted in this Order, as well as for failing to comply with the Order itself.

This Order is being recorded in the Rockingham County Registry of Deeds so as to run with the land.



Harry T. Stewart, P.E., Director
Water Division



George Dana Bisbee, Assistant Commissioner

Certified Mail/RRR: 7099 3400 0003 0695 8777

cc: Gretchen Rule, DES Legal Unit ✓
Public Information Officer, DES PIP Office
NH AGO
Town of Greenland Board of Selectmen
W. Berg, Town of Greenland Health Officer
P. J. Loughlin, Esq., Counsel to the Town of Greenland